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BEFORE THE ARIZONA CORPORATION COMMISSION
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AZ CORP COMMISSION
DOCKET CONTROL

COMMISSIONERS

KRISTIN K. MAYES, CHAIRMAN
GARY PIERCE
SANDRA D. KENNEDY
PAUL NEWMAN
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
STARWOOD SOLAR I, L.L.C., IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES, SECTIONS 40-360, *et seq.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF A 290 TO 365
MEGAWATT SOLAR THERMAL POWER
PROJECT AND A 500kV TRANSMISSION
LINE ORIGINATING AT THE PLANNED
STARWOOD SOLAR I SUBSTATION TO THE
PLANNED AND PERMITTED DELANY
SUBSTATION AND INCLUDING A 500kV
TRANSMISSION LINE FROM THE PROPOSED
STARWOOD SOLAR I SUBSTATION TO THE
EXISTING HARQUAHALA GENERATING
STATION SWITCHYARD IN MARICOPA
COUNTY, ARIZONA.

CASE NO. 150

DOCKET NO. L-00000MM-09-0446-00150

**NOTICE OF FILING SAMPLE
FORMS OF ORDER**

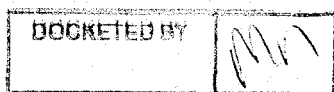
The Commission's Legal Division hereby provides sample forms of order for the Commission's convenience when considering the Siting Committee's decision in the above-captioned matter. Sample Order No. 1 is in a format suitable for Commission approval of the Siting Committee's Certificate of Environmental Compatibility ("CEC") decision. Sample Order No. 2 is in a format for Commission modifications to the Siting Committee's CEC decision. Sample Order No. 3 is in a format for denial of the CEC issued in the Siting Committee's decision.

RESPECTFULLY SUBMITTED this 3rd day of December, 2009.

Arizona Corporation Commission

DOCKETED

DEC - 3 2009



Janice Alward
Janice Alward
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

1 Original and twenty-eight (28)
2 copies of the foregoing filed this
3 3rd day of December, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

6 Copies of the foregoing
7 mailed this 3rd day of
8 December, 2009 to:

8 Kenneth C. Sundlof, Jr.
9 Jennings, Strouss & Salmon, PLC
10 The Collier Center, 11th Floor
11 201 East Washington Street
12 Phoenix, Arizona 85004-2385
13 Counsel for Applicant, SRP

12 Lee Allen Johnson
13 1121 West Warner Road, Suite 109
14 Tempe, Arizona 85284-2819
15 Counsel for W Harquahala, LLC

15
16 By Roseann Corio

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, CHAIRMAN

GARY PIERCE

SANDRA D. KENNEDY

PAUL NEWMAN

BOB STUMP

IN THE MATTER OF THE APPLICATION OF
STARWOOD SOLAR I, L.L.C., IN
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SUBSTATION AND INCLUDING A 500kV
TRANSMISSION LINE FROM THE
PROPOSED STARWOOD SOLAR I
SUBSTATION TO THE EXISTING
HARQUAHALA GENERATING STATION
SWITCHYARD IN MARICOPA COUNTY,
ARIZONA.

CASE NO. 150

DOCKET NO. L-00000MM-09-0446-00150

DECISION NO. _____

SAMPLE ORDER NO. 1

*(Sample Form of Order for the Convenience of the
Commission to Use if the Commission Determines it
is in the Public Interest to Grant the Project a CEC
as Issued by the Siting Committee's Decision.)*

Open Meeting
December ____, 2009
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360, *et seq.*, after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby approved as granted by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, and finds that granting the Project a CEC is in the public interest.

The Commission further finds and concludes that in balancing the broad public interest in this matter:

1. The Project is in the public interest because it aids the state in meeting the need for an adequate, economical, and reliable supply of electric power.
2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the CEC effectively minimize its impact on the environment and ecology of the state.
3. The conditions placed on the CEC resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings, and as such, serve as the findings on the matters raised.
4. In light of these conditions, the balancing in the broad public interest results in favor of granting the CEC.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**
4

5 _____
6 CHAIRMAN

5 _____
6 COMMISSIONER

8 _____
9 COMMISSIONER

8 _____
9 COMMISSIONER

8 _____
9 COMMISSIONER

10 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
11 Executive Director of the Arizona Corporation Commission,
12 have hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capital, in the City of
14 Phoenix, this _____ day of _____ 2009.

15 _____
16 ERNEST G. JOHNSON
17 Executive Director

18 DISSENT: _____
19

20 DISSENT: _____
21

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 KRISTIN K. MAYES, CHAIRMAN

4 GARY PIERCE

5 SANDRA D. KENNEDY

6 PAUL NEWMAN

7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION OF
9 STARWOOD SOLAR I, L.L.C., IN
10 CONFORMANCE WITH THE REQUIREMENTS
11 OF ARIZONA REVISED STATUTES, SECTIONS
12 40-360, *et seq.*, FOR A CERTIFICATE OF
13 ENVIRONMENTAL COMPATIBILITY
14 AUTHORIZING CONSTRUCTION OF A 290 TO
15 365 MEGAWATT SOLAR THERMAL POWER
16 PROJECT AND A 500kV TRANSMISSION LINE
17 ORIGINATING AT THE PLANNED
18 STARWOOD SOLAR I SUBSTATION TO THE
19 PLANNED AND PERMITTED DELANY
20 SUBSTATION AND INCLUDING A 500kV
21 TRANSMISSION LINE FROM THE PROPOSED
22 STARWOOD SOLAR I SUBSTATION TO THE
23 EXISTING HARQUAHALA GENERATING
24 STATION SWITCHYARD IN MARICOPA
25 COUNTY, ARIZONA.

CASE NO. 150

DOCKET NO. L-00000MM-09-0446-00150

DECISION NO. _____

SAMPLE ORDER NO. 2

*(Sample Form of Order for the Convenience of the
Commission to Use if the Commission Determines it
is in the Public Interest to Grant the Project a CEC
But Also Determines that the Public Interest
Requires that the Commission Modify the CEC as
Issued by the Siting Committee's Decision.)*

Open Meeting
December ____, 2009
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360, *et seq.* after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby approved as modified by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, and finds that the CEC for the above-captioned application for siting approval is in the public interest as modified by this Order.

1 The Commission modifies the CEC to (add) (modify) (delete) the following provisions
2 and/or condition(s):

3 *(For example, modifications to the Siting Committee's CEC could include amending the*
4 *Committee's determinations, adding new conditions, changing conditions' language and/or*
5 *deleting the conditions.)*

6 The Commission further finds and concludes that in balancing the broad public interest in
7 this matter:

- 8 1. The Project is in the public interest because it aids the state in meeting the need for
9 an adequate, economical and reliable supply of electric power.
- 10 2. In balancing the need for the Project with its effect on the environment and ecology
11 of the state, the conditions placed on the CEC effectively minimize its impact on the
12 environment and ecology of the state.
- 13 3. The conditions placed on the CEC resolve matters concerning the need for the Project
14 and its impact on the environment and ecology of the state raised during the course of
15 proceedings, and as such, serve as the findings on the matters raised.
- 16 4. In light of these conditions, the balancing in the broad public interest results in favor
17 of granting the CEC.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS APPROVED AS MODIFIED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**
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6 _____
7 CHAIRMAN

6 _____
7 COMMISSIONER

9 _____
10 COMMISSIONER

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10 COMMISSIONER

9 _____
10 COMMISSIONER

11 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
12 Executive Director of the Arizona Corporation Commission,
13 have hereunto, set my hand and caused the official seal of this
14 Commission to be affixed at the Capital, in the City of
15 Phoenix, this _____ day of _____ 2009.

16 _____
17 ERNEST G. JOHNSON
18 Executive Director

21 DISSENT: _____
22

23 DISSENT: _____
24
25
26
27
28

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 KRISTIN K. MAYES, CHAIRMAN

4 GARY PIERCE

5 SANDRA D. KENNEDY

6 PAUL NEWMAN

7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION OF
9 STARWOOD SOLAR I, L.L.C., IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES, SECTIONS 40-360, *et seq.*, FOR A
13 CERTIFICATE OF ENVIRONMENTAL
14 COMPATIBILITY AUTHORIZING
15 CONSTRUCTION OF A 290 TO 365
16 MEGAWATT SOLAR THERMAL POWER
17 PROJECT AND A 500kV TRANSMISSION
18 LINE ORIGINATING AT THE PLANNED
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23 PROPOSED STARWOOD SOLAR I
24 SUBSTATION TO THE EXISTING
25 HARQUAHALA GENERATING STATION
26 SWITCHYARD IN MARICOPA COUNTY,
27 ARIZONA.

CASE NO. 150

DOCKET NO. L-00000MM-09-0446-00150

DECISION NO. _____

SAMPLE ORDER NO. 3

*(Sample Form of Order for the Convenience of the
Commission to Use if the Commission Determines it
is in the Public Interest to Deny the Project the CEC
Issued by the Siting Committee's Decision.)*

28 Open Meeting
December ____, 2009
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360, *et seq.*, after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the above-captioned Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is not in the public interest and therefore the CEC issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby denied by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, and finds that granting the Project a CEC is not in the public interest.

1 The Commission finds and concludes that in balancing the broad public interest in this matter:

- 2 1. The evidence in the record is not sufficient to weigh the balancing of the public
3 interest in favor of granting a CEC in this matter when all the factors set forth in
4 A.R.S. § 40-360.06 are considered along with need for an adequate economical, and
5 reliable supply of electric power.
- 6 2. The conditions placed upon the CEC are not sufficient to weigh the balancing of the
7 public interest in favor of granting a CEC in this matter when all the factors set forth
8 in A.R.S. § 40-360.06 are considered along with the need for an adequate, economical,
9 and reliable supply of electric power.
- 10 3. The record compels balancing the competing public interests in favor of protection of
11 the environment and ecology of the State of Arizona by denying Applicant a
12 Certificate of Environmental Compatibility.
- 13 4. The CEC issued by the Siting Committee should not be confirmed and approved by
14 the Commission.
- 15 5. The Commission's findings 1 through 4 above serve as the Commission's findings of
16 fact and conclusions of law in reaching its decision.

17
18 Therefore, the Commission further finds and concludes that the CEC issued by the Siting
19 Committee is hereby denied by this Order; and, the above-captioned Application for a CEC is hereby
20 denied by this Order.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS DENIED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**
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7 _____
8 CHAIRMAN

9 _____
10 COMMISSIONER

11 _____
12 COMMISSIONER

13 _____
14 COMMISSIONER

15 _____
16 COMMISSIONER

17 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
18 Executive Director of the Arizona Corporation Commission,
19 have hereunto, set my hand and caused the official seal of this
20 Commission to be affixed at the Capital, in the City of
21 Phoenix, this _____ day of _____ 2009.

22 _____
23 ERNEST G. JOHNSON
24 Executive Director

25 DISSENT: _____
26

27 DISSENT: _____
28